

REMARKS

Applicants have reviewed the present application in light of the Office Action dated June 19, 2009. Claims 1-4 and 6-20 are presented for examination, with Claim 1 being the sole independent claim. Claims 1, 2, 4, 6, 10, and 13 have been amended to define Applicants' invention still more clearly. Favorable reconsideration is requested.

The Office Action objected to the specification, and rejected Claim 1 under 35 U.S.C. § 112, first paragraph, as being directed to new matter in view of the recitation "providing said unique identifiers to the provider." Applicants respectfully disagree with Office Action's characterization of the specification as originally filed, however, due to the present amendments clarifying aspects of Applicants' invention and removing the "providing" recitation, the outstanding objection and rejection are believed moot. Accordingly, it is believed that the objection and the rejection under Section 112 have both been obviated, and their withdrawal is respectfully requested.

The Office Action rejected Claims 1-4 and 6-20 as being unpatentable over U.S. Patent No. 6,125,354 (*MacFarlane et al.*), in view of U.S. Patent No. 7,020,628 (*Peterson et al.*). Applicants respectfully traverse these rejections and submit that independent Claim 1, together with the claims dependent therefrom, are patentably distinct from the cited art for at least the following reasons.

Amended independent Claim 1 recites, in part, "receiving a business model file corresponding to an internal structure of the entity, the business model file including at least one application profile associating at least the following access values: (1) a time access value, (2) a geographic area access value, and (3) a user-level value with at least a portion of the internal structure within the entity; . . . allocating respective billing portions of said billing based at least

in part on said access values,” (emphasis added). Nothing has been found in *MacFarlane et al.* and *Peterson et al.* that is understood to teach or reasonably suggest detecting and correlating the aforementioned non-unique-user access values to an entity’s structure for billing allocation.

As best understood by Applicants, *MacFarlane et al.* allocate bills based on a manually entered “User Code.” *See MacFarlane et al.*, Col. 6, lines 57-64. Similarly, *Peterson et al.* are understood to allocate bills based on a “unique pass code each user possesses.” *See Peterson et al.*, Col. 4, lines 35-46. Accordingly, both *MacFarlane et al.* and *Peterson et al.* are wholly absent of allocating billing based on “(1) a time access value, (2) a geographic area access value, and (3) a user-level value,” as recited by amended Claim 1 (emphasis added).

For at least these reasons, Applicants submit that the Office can not sufficiently establish a *prima facie* case of obviousness against amended Claim 1 in view of *MacFarlane et al.*, and *Peterson et al.*, and that the claim is clearly patentable over that cited art, whether considered separately or in combination. Accordingly, the rejection of Claim 1 is deemed obviated, and its withdrawal is respectfully requested.

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual consideration or reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.

No petition to extend the time for response to the Office Action is deemed necessary for this Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 50-3939.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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